

WHY Foreign Crews MAN AMERICAN SHIPS

By SAMUEL M. EVANS



HELLO, Henry, I am going to leave you today. I've sold my carcass again."

This remark by a big sailor to a friend on the San Francisco waterfront caused a landsman to turn around and regard the pair curiously. It was the tenth time that he had heard that remark in the course of an hour as he loitered about the wharves watching the whalers preparing for their season in northern seas. He had seen big, hard-fisted men boarding the vessels or sitting about on boxes on the docks chatting with friends until they should be summoned on board for the cruise. And always, as the sailors would greet a new companion, came that remark, "I've sold my carcass."

It puzzled the landsman. He did not understand, but figured out that it was some rough pleasantry. He did not know that every man who sails out of an American port in a deep-sea vessel under the stars and stripes must literally sell his body and soul into a servitude as abject and as debasing as that of the black man on the southern plantation before the Emancipation Proclamation was issued.

For the American who sails the high seas under the stars and stripes is a slave. He is a slave under the law. True, he cannot be put upon the auction block by his master and sold to the highest bidder. But he must surrender his American birthright—freedom of contract; he must sign away his right to his pay when it falls due. And he cannot be a sailor without signing them away. And he cannot run away from his bargain and his master. If he tries it, he is arrested and taken back, no matter in what quarter of the globe his vessel is anchored. For, by the operation of treaties with all the maritime powers of the world, the United States agrees to arrest and return foreign sailor-slaves, in return for which the foreign countries have agreed to arrest and return to American ships America's chattel slaves.

No man is ever a slave under the law unless conditions are such that it is necessary for his masters to hold him legally in servitude in order to retain his services. Every land is full of industrial slaves who cannot desert their masters if they would, because there is nothing else for them to do but to submit or starve. But the occupation of a sailor carries him to foreign lands where the lure of untried conditions is forever beckoning, and it would be comparatively easy for him to desert his master. But here the law steps in, and



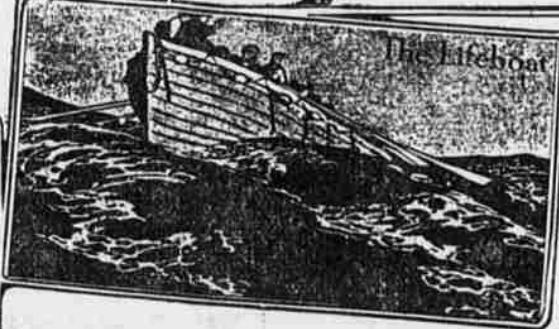
the fear of the foreign dungeon and the certain return to his ship in irons holds him to his contract. And even with the fear of certain re-enslavement staring him in the face, the sailor under the stars and stripes is far too often a deserter. It is idle to argue that it is in the nature of the sailor to wander, to desert one master for another, and that therefore laws are necessary to prevent the disorganization of the merchant marine. Every occupation has its devotees to whom it calls in an insistent voice, and there are thousands of men who follow the sea from choice. The answer to the question, why is the sailor legally a slave, must be found in an inquiry into the conditions from which he seeks to run away. If he likes to follow the sea there is no reason why he should forever try to leave it or to leave his master and his flag except that the conditions under which he is forced to work are intolerable. And here lies the answer.

The earliest known facts about the condition of the laborer at sea take us back to the ancient laws of the Norseman and to the code that governed the sailors of the ancient cities on the shores of the Mediterranean. In the north the laborer on land and at sea was a free man. The sailor had the same status aboard his vessel that his brother had in the Norse towns. He had the same freedom of contract and the same voice in the laws regulating the conduct of his companions and himself. The laborer of the south was a chattel slave on land and on sea. He was usually a prisoner of war and his body and soul belonged to his master. He was chained to his seat in the galley and lashed to his task. Manual labor of all kinds was considered to be debasing and performed only by slaves.

The island of Rhodes gave to the Mediterranean its maritime law, and the Roman code was patterned after that of Rhodes. When Rome conquered the countries of the north, she gave them her laws for the regulation of labor on the sea as well as on land. The all-pervading idea of Roman civilization was that labor is debasing, and the laborer on land was a serf and on the sea he was a slave. The maritime power of medieval Europe, which was expressed through the laws of Barcelona and later through the all-powerful Hanseatic League of cities, was maintained through Roman maritime law. It gradually overpowered and obliterated the law of the north, and the free sailor ceased to exist. Since that day the sailor has been a chattel slave.

When sailing vessels replaced the galley, it became necessary that the sailor's status as a slave be maintained by rigid laws against desertion. Freedom of action was necessary for the operation of a sailing vessel, but it was still necessary to keep the sailor bound to the ship because injury might come to the vessel through his desertion. And so his status as a slave was maintained by law on the "principle of common hazard." All the laws of the Hanseatic League stipulate that if any harm come to a vessel while any sailor is absent from shipboard, the absent sailor shall pay the damage. The safety of the vessel and her cargo was in the hands of every man on board while the vessel was at sea or in foreign ports.

The progress of civilization has relieved the shipowner and the master of the hazard of the sea. Maritime insurance has been devised to pay for losses through acts of God. If a ship sinks at



sea, no one loses but the sailor and his widow and children. The property is paid for by the community, by you and me; for insurance shifts the burden of loss from the shoulders of the individual to the shoulders of the community. Perfect policing of the sea has removed the dangers from piracy, and losses from state or local disturbances are paid for by the states and localities responsible.

And so the old principle of common hazard has been abandoned so far as the shipowner is concerned through the operation of maritime insurance and modern laws. But how is it with the sailor and with you and me? It is easy to see how this has worked to increase the hazard borne by the crew. Formerly the shipowner would not load his vessel to the danger point; he would not risk employing unskilled men or too few sailors, because he did not want to risk his property. Now he does not care; insurance will take care of the risks, and the idea is to make all the money possible.

Let us look a little more closely into the condition of the sailor's occupation that has been evolved out of this hodge-podge of laws, ancient and modern. And then we can see very clearly how this condition affects not only the sailor but you and me and every other American citizen. A brief comparison of the conditions on shipboard under the American flag with those under the flags of other nations will explain why the American boy does not go to sea, and why it is necessary to keep the American sailor a chattel slave by law of congress. To begin with, the American sailor who would ship over the high seas is compelled to seek his employment through a "crimp." The crimp is the runner for the notorious sailor's "boarding-houses" which furnish crews for all deep-sea-going vessels. He is the absolute master of the sailor's employment. All deep-sea captains ship their crews through the crimp. The crimp is paid out of the unearned wages of the sailor. It is called "advance money" which the law permits the sailor to sign away and which the system compels him to sign away. The sailors call it "blood money." The money is paid by the captain directly to the crimp. In fact all the negotiations are carried on directly between the captain and the crimp. The sailor is not consulted at all. More often than not, he is taken on board after having been liberally treated to "third rail" or "doctor," a drink that robs him of all consciousness. The practice smacks very much of the old practice of "shanghaiing." The act of December 21, 1898, prevents the payment of this blood-money, called "allotment to original creditor" in the domestic trade (coastwise shipping and the trade to nearby foreign countries). But it is permitted in the deep-sea trade, and no sailor ever obtains employment on a deep-sea-going vessel without having visited the crimp. The crimp exists because the law permits him to exist, by permitting the assignment of "advance money." One state, Oregon, actually recognized the system by a statute limiting the amount of blood-money to thirty dollars. The crimp ceased to exist in the domestic trade when congress abolished the "allotment to original creditor" in 1898.

When the sailor gets aboard he is compelled to live in a space 6 feet long by 6 feet high and 2 feet wide. This is the legal forecastle space (72 cubic feet) except in sailing vessels built or rebuilt after June 30, 1898. The sailors call it the "dog hole," to distinguish it from the "fire hole" (firemen's quarters), and the "glory hole" (stew-

ard's quarters). Here the men must live, eat, sleep and keep their clothing. It has been described as "too large for a coffin and too small for a grave." It is unsanitary, dark, and dirty.

The American sailor is compelled to sign away in the foreign trade his right to part of the wages due him at ports of call. Consular agents have declared this to be the most prolific cause of desertions from American ships. The act of December 21, 1898, gives the sailor a right to half the wages that may be due him at any port of call, but add "unless the contrary be expressly stipulated in the contract." The ship-owners see to it that this stipulation is always made.

The sailor must compete with the unskilled and destitute of all nations and races, because the law as to citizenship was repealed in 1864, and the operation of maritime insurance has reduced the standard of skill in seamen. No standard of efficiency has been supplied by law. The ship-owners may hire whom they please and as few men as the inspectors will let them. There is no standard to guide the inspectors. And so the sailor must do the unskilled man's work at sea because the work has to be done and there is no one else to do it. Often he must risk his life because the vessel is undermanned and unskillfully manned. Because of this competition with the foreigner, his wages are as small as the wages of the cheapest port of call of his vessel, and he cannot get enough to marry and live a normal life. As vessels grow larger, his chances to earn a decent livelihood grow smaller.

Big Business conceives ships to be for the purpose of making money, not for the purpose of carrying goods from place to place; for the purpose of piling up dividends no matter at whose expense the dividends are piled up, no matter at what cost to the sailor or to you and me. It would take away cargo space to provide decent living quarters for sailors on shipboard, and less cargo means less dividends. To load a vessel so as to minimize the danger from shifting cargo means less cargo also. Better food, more men and skilled men all cost more money, and therefore Big Business, which is not compelled to take risks because its property is insured, refuses these things. In fine, it is much cheaper to run vessels with slaves; therefore Big Business employs slaves.

Not only is American commerce being conducted by vessels flying foreign flags, but American over-sea commerce in American ships is being handled by foreign seamen. The astounding fact is true that not only has America fewer sailors than any other nation on the face of the globe, but the great majority of the men in the American merchant marine are men of other nations. And the majority of American seamen are sailing, by choice, under the flags of other nations than their own. So when we trust our lives and our goods on the high seas, we entrust them to foreign seamen, slaves on under-manned vessels, living under conditions that have driven Americans from the sea. That is what concerns us. And it concerns us vitally.

Statistics published by the United States commissioner of navigation show that out of every hundred American seagoing steamers of over one hundred tons for the past seven years, an average of 2.24 have been lost each year, and that out of every hundred foreign seagoing steamers of over one hundred tons for the same period, an average of only 1.98 have been lost. Out of every hundred American seagoing vessels of over fifty tons for the past seven years an average of 4.13 have been lost each year, and out of the same number of foreign seagoing sail vessels of over fifty tons, the loss has been only 2.97 a year.

On the Pacific ocean the situation is almost intolerable. The United States commissioner of navigation in his report for 1898-99, page 20, declared: "The crews of our own steamships plying to China and Japan are almost wholly Chinese and Japanese shipped before American consuls at foreign ports where the vessels enter and clear." And this condition has grown worse instead of better since that time.

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